

**DANIEL TOWN COUNCIL MINUTES  
MONDAY, JULY 11, 2016 AT 6:00 PM  
WASATCH COUNTY SERVICES BUILDING, ROOM 126  
55 SOUTH 500 EAST, HEBER CITY, UT**

Quorum present: Council members Bunker and Glodowski were present when Mayor Turner called the meeting to order at 6:01 PM. Council member Blotter was excused and Council member Bateman was absent. Treasurer Sherri Price was present, as was clerk Lynne Shindurling to record the minutes.

Members of the public in attendance were: Shelly Bunker, Brandon Cluff, Kelly Christensen, Marie Bramwell, Bridger Wilde, Stefanie Grady, Pam Skinner, and Ryan Taylor.

**1) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA**

No comments were made.

**2) PRESENTATION BY PUBLIC WORKS DIRECTOR BRANDON CLUFF AND SOLID WASTE DISPOSAL DISTRICT MANAGER KELLY CHRISTENSEN ON PROPOSED WATERLINE TO THE COUNTY FACILITY**

Brandon Cluff presented the Council with a plat map showing the newest County building, which houses wildland firetrucks, and the other buildings located on 3000 South near the transfer station. He would like to be able to add the equipment necessary to protect the new building with fire hose. Mr. Christensen explained they would like to add an additional hydrant and a second meter to cover all transfer station facilities should a fire occur. Council member Bunker asked about an existing well. Mr. Christensen said they are still using the well, but would like to use water supplied by Daniel Municipal Water instead of pulling so much water from the well. Ryan Taylor expressed concern of a malfunctioning meter onsite currently and would like to have that one checked out as the Town is extending the waterline and adding the new meter. Discussion continued between the Town Council and representatives from the County facility regarding what requirements must be met as set out by the Daniel Municipal Water folks. The entities will work together to finalize the plans. Mr. Taylor will be in contact with individuals to get the existing meter reworked and the new one installed. He will act as the liaison in order to complete the project.

Council member Bunker asked if Ernie Giles from the Fire Department had been contacted. The Council was assured that the County is working with his department as well.

**3) CONSIDERATION OF ANNEXATION PETITION ON PARCELS NEAR INTERSECTION OF 3000 SOUTH AND HIGHWAY 189 SIGNED BY ED GOLUB**

Mayor Turner stated his understanding that the Council could not act at this meeting as the petition for annexation was filed with the County Clerk this morning, that being July 11. Council member Bunker mentioned he would like to see this move forward, if that is the desire of the Council, as UDOT has earmarked monies for the intersection and doesn't know how long they would still be on the table. As the timetable was being discussed for future meetings in regards to the annexation, Marie Bramwell introduced herself as representing Mike Petersen's interests in the matter because he is currently out of town. Mayor Turner asked if Ms. Bramwell could discuss timing with UDOT officials as the annexation timeline plays out and requirements are met. UDOT had intended to modify the intersection at 3000 South and U.S. 189 if the roads are not aligned, which alignment is a consequence of the proposed annexation and development by Mr. Petersen.

***At this point Council member Glodowski moved to hold a special council meeting on July 26<sup>th</sup> or 27<sup>th</sup>, whenever the meeting room was available, to discuss the proposed annexation. The motion was seconded by Council member Bunker and passed unanimously.***

**4) ADOPTION OF RESOLUTION DR-2016-0606A AS APPROVED IN JUNE, 2015-16 BUDGET AMENDMENTS**

***Mayor Turner read the resolution into the record. Council members initialed their respective approvals as voiced in the June 2016 meeting. The resolution was adopted.***

**5) ADOPTION OF RESOLUTION DR-2016-0606B AS APPROVED IN JUNE, 2016-17 BUDGETS**

***Mayor Turner read the resolution into the record. Council members initialed their respective approvals as voiced in the June 2016 meeting. The resolution was adopted.***

**6) APPROVAL OF CERTIFIED TAX RATE FOR PROPERTY TAXES IN FY2016-17 BY RESOLUTION DR-2016-07-11**

Mayor Turner presented Resolution DR-2016-07-11 to the Council. The resolution sets the certified tax rate for 2016 at .000695. ***Council member Glodowski moved to accept the tax rate and resolution as written, which was seconded by Council member Bunker. The motion passed unanimously.***

**7) DISCUSSION ON UTAH WILDFIRE RISK INDEX, POSSIBLE ACTION BY COUNCIL**

The wildfire prevention, preparedness, and mitigation program materials were presented to the Council by Mayor Turner. He explained the State Division of Natural Resources is asking for member participation in the program not in the form of monetary contribution, but by its citizens reading the information and doing what they can on their individual properties to prevent the spread of wildfires.

Council member Bunker asked who decides which projects on the list qualify for credits by the municipality toward mitigating costs of fighting a fire. Mayor Turner explained the State is involved in the process. He would like the representative from Wasatch County, Troy Morgan, to come to the next Council meeting to explain the program more fully. Ryan Taylor mentioned any action taken by local communities toward prevention and mitigation of costs is a benefit to be credited. When looking into the cost per year to participate in the risk prevention program, it is less expensive than fighting a single incident in a year.

#### **8) BUSINESS LICENSE APPLICANTS**

Planning Director Bunker produced an application from Pat Newhouse for a new business called Lularoe Pat Newhouse, which is an online boutique business. She previously held a license for a nail salon, but has been out of the community for several years and has returned with a new venture. Three other businesses have requested renewal of their licenses this month, those being Suburban Propane, Daniels Creek Irrigation, and Daniels Academy. No new information has come forth on the possible increase in residents at the Academy, and the business license was renewed as conducted for the past year. All four businesses were approved by the Council.

#### **9) PLANNING DEPARTMENT REPORT, CODE VIOLATIONS AND ENFORCEMENT**

Council member Bunker produced his planning report for the month along with a letter to Dan Matthews, attorney for property owners at 2530 Daniels Road in Daniel. They have requested a permit to demolish the home on the property. The Planning Department will continue to work with the homeowners.

Mr. Bunker also reviewed with the Council HB362 and HB60 dealing with monies to come to cities and towns through the Class C road fund. The legislature is going to hold a special session to work through the problem. However, because Wasatch County did not pass HB362 last year, Daniel Town's expected funds are not at issue.

In discussion of the Ranch Drive waterline construction, Stefanie Grady expressed concern on behalf of their HOA that the deterioration of the road surface may require repaving when the project is completed. Ryan Taylor stated he will monitor the construction and make sure it is left in good condition. Pam Skinner also complained on the amount of dirt piled in various locations along the street making it nearly impossible to get vehicles off of their properties. Ms. Grady expressed concern that large equipment is continuing to drive down to the school property and through the temporary fence. Council member Bunker mentioned in conversation with Mr. Harrison from the school district offices, bidding for a permanent fence is underway and, once installed, that should prevent entrance onto the property from Ranch Drive.

Council member Bunker brought up an insurance program through the Rural Water Association called ServLine which covers leaks on an individual's property. Daniel Town would

have to sign up for the program and then individuals could obtain coverage if they wished. Mayor Turner would like to obtain more information on this and discuss the subject again at a later date.

Pam Skinner asked about signage on Ranch Drive indicating no access to the school property, which had been discussed previously. Mayor Turner stated he would like to get the waterline construction finished, the laterals installed, and cleanup accomplished before pursuing the signage issue.

#### **10) DISCUSSION OF DANIEL IRRIGATION COMPANY EASEMENT AGREEMENT AND POSSIBLE STAGING AREA FOR CONSTRUCTION**

Mayor Turner produced the easement agreement between Daniel Town and the Daniel Irrigation Company which seems to meet the requirements of Daniel Town and asked if the Council was in agreement with it. An agreement for the temporary use of Daniel property was also discussed where the irrigation company could hold equipment and materials while working on the pipeline. Ryan Taylor stated he does not foresee weather in the fall creating any problems if they can complete the project in November or early December. He feels springtime would create a bigger problem.

***Council member Glodowski moved to sign the DIC easement agreement as presented, which was seconded by Council member Bunker. The motion passed unanimously.***

At this point Council member Bunker asked to return to the annexation issue (item #3 on the agenda) and review of the State code regarding action within a 14-day period. Clerk Lynne Shindurling stated she will call David Church, counsel for the League of Cities and Towns, to get clarification. Mayor Turner stated the special meeting on July 26<sup>th</sup> will remain in place unless the Council is advised otherwise. The clerk will, in the meantime, verify the signature on the petition.

#### **11) FURTHER DISCUSSION OF COMPENSATION FOR WATER UTILITY PERSONNEL, INCLUDING PROPOSAL BY EPIC ENGINEERING**

Treasurer Sherri Price presented compilations of pay reports for Daniel water personnel. Council member Bunker reminded the Council that Kim Norris had recommended a raise to \$20 per hour for Gary Walton and leave the other personnel at a rate of \$15 per hour. Because two Council members who had expressed opinions on this issue were not present, ***Council member Bunker moved to continue the discussion on compensation. The motion was seconded by Council member Glodowski. The motion passed unanimously.***

Ryan Taylor then brought forth a proposal from Epic Engineering if they were to handle water sampling for testing for Daniel Town, and use of their company personnel as our water operator. He proposes partnering with Chem Tech Ford to do the water sampling per the monitoring schedules provided by the State Division of Drinking Water on a monthly basis. He

mentioned the lab at Chem Tech in Sandy, Utah, can do more sampling inhouse where the State lab sends some samples elsewhere. He estimates a cost of \$6,500 annually for the sampling with the water operator license, which currently is a level 4 operator. He will provide the complete proposal to the clerk for discussion at next month's meeting.

#### **12) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY**

Although no representative from the water company was present at the meeting, Mayor Turner mentioned in discussion with Kim Norris he brought forth no concerns at this time.

Council member Bunker clarified his understanding on the new waterline that there are two 4" lines rather than an 8" inch which splits. Mr. Taylor agreed and stated one goes to the meter for the service connection and the other is a fire line. There is an additional 8" fire line for the fire hydrants; so one for the building and one for the hydrants. Epic Engineering is handling the inspection of the work being performed.

#### **13) STORM HAVEN WATER MATTERS AS NEEDED**

Again, no water personnel were present, but Ryan Taylor mentioned there is one dissatisfied customer who has complained about his water bills. He is being billed for water which in the past was not metered but is metered currently.

Mr. Taylor, as an aside, mentioned he received a text from Smith Hartvigsen that the Council does not need to wait 14 days to act on an annexation petition after filing. Mayor Turner will return to this item after more agenda items are discussed.

#### **14) APPROVAL OF COUNCIL MEETING MINUTES OF MAY 2, 2016**

The May minutes were not approved in June. Council member Bunker asked for a correction to the minutes on page 7, third full paragraph, changing the language "planning staff" to "Planning Commission."

A second correction was on page 10, asking the language "as mandated by the State" be removed from the second to last sentence in the final paragraph under agenda item 10.

***With the corrections noted, Council member Glodowski moved to approve the minutes. The motion was seconded by Council member Bunker and passed unanimously. The minutes were approved.***

#### **15) APPROVAL OF COUNCIL MEETING MINUTES OF JUNE 6, 2016**

Council member Bunker asked that the reference to Charleston Board member Rob Shallenberger be changed to "council member" as it appeared in the public in attendance.

***With that change noted, Council member Glodowski moved to approve the minutes, which motion was seconded by Council member Bunker. The motion passed with unanimous "aye" votes.***

**16) RECORDER'S OFFICE: WARRANT APPROVAL, PELORUS SOFTWARE BID APPROVAL, ANNOUNCEMENTS, ETC.**

The clerk presented the warrants for the Town of Daniel. She explained there is included an invoice from Epic which was sent to the Division of Environmental Quality for payment of the balance of the grant Epic applied for for engineering work in Storm Haven.

In reviewing the Daniel Municipal Water warrants, mention was made of a lower power bill from Heber Light & Power. Ryan Taylor stated he and Gary Walton are going to try to meet with HL&P officials to resolve the issue of high demand billings and variance each month. Mr. Taylor stated perhaps applying for a grant to obtain a stand-by generator would be beneficial and a cost saving.

Mr. Taylor also mentioned HL&P wants solar permit applications to go to them first and they'll make sure they meet all requirements and pass them on to Daniel Town. HL&P is providing training classes they would like all solar providers and homeowners to go through before issuing the permit. Mr. Taylor still wants applications to come to Daniel, and both agencies will approve permits jointly.

After presenting warrants for payment from both water companies, ***Council member Glodowski moved to accept the warrants as presented. Council member Bunker seconded the motion and the warrants were approved for payment.***

Clerk Shindurling presented a bid provided by Pelorus Methods for a software program designed for governmental agencies. She reviewed the services offered and costs involved and would like to get the approval of the Council to move forward and set up training on the system. She stated they have their own backup and all information would be added to the dropbox which is backed up nightly. She explained on the water bills more information would be provided to the customers; i.e., payments received, balance, finance charges, usage. Customers could sign up for online payments through the ACH service at Zions Bank. Both she and Sherri Price were impressed with the program and the possibility of more efficient recordkeeping and reporting.

***Council member Glodowski moved that Daniel Town move forward with the Pelorus software system, which was seconded by Council member Bunker.*** Council member Bunker would like the Town's IT person, Chris Anderson, to look at the system. The radio reads for water meter readings can be synced with Meter Maintenance in uploading data for production of the water bills. Mayor Turner stated he will review this with Mr. Anderson.

***The motion was voted on and passed with unanimous "aye" votes.***

Sherri Price also stated all bank accounts would be merged into one with numerous funds within the account to facilitate keeping track of the monies.

Returning to item #3, the annexation petition, Ryan Taylor reported he had had contact with Town counsel and read portions of the Utah code, and opined the Council may act on accepting or denying the annexation petition for further consideration this evening and thinks if you wait until the August meeting, the Council has accepted the petition by taking no action in a timely manner.

***Council member Glodowski withdrew his motion to hold a special meeting on July 26<sup>th</sup> or 27<sup>th</sup>. The motion was seconded by Council member Bunker, although he stated a motion can be withdrawn without a second if the minutes have not yet been approved. Then Council member Glodowski moved that the Council accept the annexation petition for further consideration, which was seconded by Council member Bunker. The motion passed with unanimous "aye" votes.*** Mayor Turner stated the Town would follow normal procedure on holding a public hearing.

Council member Bunker stated the clerk could move forward with certifying the petition and sending notices to the affected entities.

***Council member Bunker moved to hold the Public Hearing for consideration of the annexation in conjunction with the Town Council meeting on August 8, 2016. The motion was seconded by Council member Glodowski and passed unanimously.*** (Such hearing cannot occur at that time because it does not allow for a 30-day protest period.)

#### **17) ADJOURN**

***Council member Glodowski moved to adjourn the meeting. The motion was seconded by Council member Bunker, and Mayor Turner adjourned the meeting at 8:08 PM.***

Lynne Shindurling  
Clerk/Recorder